



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
October 15, 2013

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Archie Barron, District III
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder, Assistant Administrator Glenn Breed, Thomas L. Martin County Attorney, and Clerk to Council Elizabeth G. Hulse present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler-Anderson Independent & Carlos Galarza - The Daily Journal.

Call to Order:

Mr. Thrift called the meeting to order at 6:00 p.m.

Public Comment Session [related to specific agenda items]:

Mr. Berry Nichols addressed Council in opposition to passage of Ordinance 2013-24, his opposition to the county purchasing land and fee-in-lieu of tax agreements.

Public Comment Session [related to non-agenda items]:

Mr. Richard Marcingill addressed Council regarding state law as it pertains to the Capital Project Sales Tax Commission membership requirements.

Mr. B. J. Littleton addressed Council in support of comments made by Mr. Marcingill and Mr. Nichols and requested putting a recording system into the Magistrate offices.

County Council Response to Public Comment:

Mr. McCall responded to Mr. Marcingill noting that there were a limited number of interested candidates in the unincorporated areas of the county for appointment to the Capital Project Sales Tax Commission.

Pledge of Allegiance:

Mr. McCall led the Pledge of Allegiance to the Flag of the United States of America.

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve the minutes from the October 1, 2013 regular meeting as presented.

Presentation by Outside Organizations

Recycling Program Update / Mr. Glenn Breed & Mr. Swain Still

Mr. Still, Solid Waste Director, and Mr. Breed addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] regarding the Solid Waste Department; recycling efforts specifically. Mr. Still highlighted the following areas:

- Department Overview
- Historical Data
- Recycling Trends
- Where We Are Now
- Recycling vs. Budgets
- Potential Departmental Savings

Discussion followed regarding various topics to include county office/fire department recycling, manned convenience center design, etc. Council thanked Mr. Still & Mr. Breed for their thorough and informative presentation.

2012 Oconee County Property Data / Mr. Jonathan Brown & Ms. Linda Shugart

Mr. Brown, Data Analyst & Software Technician, and Ms. Shugart, Assessor, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] highlighting the following areas:

- Total Parcel Count
- Parcel Classifications
- Interpreting the Data
- 4% and 6% Classifications
- Legal Residence
- Agricultural Farm Exemption
- Annual Reassessment Assignments
- County Wide Reassessment
- 15% Cap & Examples

Discussion followed regarding various topics to include the 2015 reassessment, vacant/unoccupied properties, mobile homes, etc. Council thanked Mr. Brown & Ms. Shugart for their thorough and informative presentation.

Administrator's Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public's benefit specifics related to the following matters before Council at this meeting:

Public Hearings

Third and Final Reading for Ordinance

Second Readings for Ordinances

First Readings for Ordinances

Discussion / Action Items

Executive Session

Mr. Moulder noted several additional issues to include:

- Ordinance 2013-29: the Special Source Revenue Credit [SSRC] will be set at 20%
- Ordinance 2013-30: the county attorney has provide a RED LINE version of the ordinance for comparison purposes only
- Economic Development Summaries are provided also for Project GAMMA and Project FLAT.

Public Hearing and Third & Final Reading of the Following Ordinances

Ordinance 2013-24 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **ULBRICH PRECISION FLAT WIRE, LLC** (THE “COMPANY”) **ULBRICH SOLAR WIRE, LLC**. AND **PLANT ROAD, LLC**, AS CO-SPONSORS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance.

Mr. Berry Nichols addressed Council questioning the SSRC percentages and the advantage to the county for making deals with companies. Mr. Moulder addressed some of Mr. Nichols questions/concerns.

No additional citizens addressed Council regarding this ordinance.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2013-24**.

Ordinance 2013-26 “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15, 2011-34 and 2013-06 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK”

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance.

No citizens addressed Council regarding this ordinance.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2013-26**.

Ordinance 2013-28 “ AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/ BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXES TO THE COUNTIES AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOB TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE IN LIEU OF *AD VALOREM* TAXATION WITHIN SAID PARK; AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SENECA RELATED TO THE CREATION OF THE PARK WITHIN THE CITY LIMITS OF THE CITY OF SENECA AND THE DISTRIBUTION OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES DUE TO OCONEE COUNTY FROM THE PARK, AND THE PAYMENT BY OCONEE COUNTY TO THE CITY OF SENECA AND OTHER TAX PAYING ENTITIES IN OCONEE COUNTY OF FEE IN LIEU OF TAXATION DERIVED WITHIN THE PARK ; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance.

No citizens addressed Council regarding this ordinance.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2013-28**.

Ordinance 2013-31 "AN ORDINANCE AUTHORIZING THE GRANT OF CERTAIN EASEMENT RIGHTS AND EXECUTION AND DELIVERY OF AN ELECTRIC LINE RIGHT-OF-WAY EASEMENT AGREEMENT AFFECTING CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO"

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance.

No citizens addressed Council regarding this ordinance.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2013-31**.

Third & Final Reading of the Following Ordinances

Ordinance 2013-24 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **ULBRICH PRECISION FLAT WIRE, LLC** (THE "COMPANY") **ULBRICH SOLAR WIRE, LLC** AND **PLANT ROAD, LLC**, AS CO-SPONSORS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT"

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-24** on third and final reading.

Ordinance 2013-26 "AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15, 2011-34 and 2013-06 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK."

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-26** on third and final reading.

Ordinance 2013-28 " AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/ BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXES TO THE COUNTIES AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOB TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE IN LIEU OF *AD VALOREM* TAXATION WITHIN SAID PARK; AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SENECA RELATED TO THE CREATION OF THE PARK WITHIN THE CITY LIMITS OF THE CITY OF SENECA AND THE DISTRIBUTION OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES DUE TO OCONEE COUNTY FROM THE PARK, AND THE PAYMENT BY OCONEE COUNTY TO THE CITY OF SENECA AND OTHER TAX PAYING ENTITIES IN OCONEE COUNTY OF FEE IN LIEU OF TAXATION DERIVED WITHIN THE PARK ; AND OTHER MATTERS RELATED THERETO."

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-28** on third and final reading.

Ordinance 2013-31 “AN ORDINANCE AUTHORIZING THE GRANT OF CERTAIN EASEMENT RIGHTS AND EXECUTION AND DELIVERY OF AN ELECTRIC LINE RIGHT-OF-WAY EASEMENT AGREEMENT AFFECTING CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-31** on third and final reading.

Second Reading of the Following Ordinances

[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]

Ordinance 2013-29 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT FLAT**; THE GRANTING OF INFRASTRUCTURE TAX CREDITS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-29** on second reading.

Ordinance 2013-30 “AN ORDINANCE TO AMEND SECTION 1-7, ENTITLED *GENERAL PENALTY; CONTINUING VIOLATIONS* OF CHAPTER 1, ENTITLED *GENERAL PROVISIONS*, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO.”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-30** on second reading.

First Reading of the Following Ordinances

Ordinance 2013-33 [in title only] “AN ORDINANCE AUTHORIZING ACCEPTANCE OF TRANSFER OF AUTHORITY FOR MUNICIPAL ELECTIONS FOR THE CITY OF SENECA AND AUTHORIZING AN INTERGOVERNMENT AGREEMENT OR EMBODYING DOCUMENT INCLUDING THE TERMS OF ANY AGREEMENT, WITH EACH; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-33** on first reading in title only.

Discussion Regarding Action Items

911 Emergency Recording Equipment / \$63,189.88

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve as a sole source purchase a Verint 911 Recording System from Replay Systems, Inc., of Ft. Lauderdale, FL, in the amount of \$63,189.88.

Local ATAX / up to \$3,200.00 / 100,000 “Waterfalls of Upstate South Carolina” brochures

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve an expenditure of up to \$3,200.00 for 100,000 of “Waterfalls of Upstate South Carolina” brochures.

Old Business

None at this meeting.

New Business

Council request of Administrator for Oconee Joint Regional Sewer Authority [OJRSA] Information

Mr. Dexter asked that Mr. Moulder contact the OJRSA to obtain the following information to be reported at the November 5, 2013 Council meeting:

- Monies set aside [grants and other funds] for the I85 project
- Where did funds come from, i.e., state, federal, other.
- OJRSA intent for expending funds / prioritization of projects

Council concurred with Mr. Dexter's request.

Real Estate, Facilities & Land Management Committee

Mr. Barron noted that members of the Committee toured with Mr. Breed and Mr. Phil Shirley, PRT Director, the Army Corp of Engineer's [AOCE] boat ramps on Lake Hartwell. He noted that recommendations regarding which ramps to accept from the Corp will be discussed at a future meeting.

Transportation Committee

Mr. Thrift notified the public that a Transportation Committee meeting has been scheduled for Tuesday, October 29, 2013 at 5:30 p.m.

Board/Commission Appointments

Transit Advisory Task Force Committee

Mr. Thrift noted that only a few questionnaire were on file for consideration for appointment to this Committee. Council solicited interested citizens living in the unincorporated areas of the county for appointment that is scheduled to be made at the November 19, 2013 Council meeting.

Executive Session:

Mr. Moulder noted that the contractual/litigation matter was not needed.

Mr. Barron made a motion to enter Executive Session for the purpose of discussing a personnel matter. The motion died for a lack of a second.

Mr. Dexter stated that he had a question regarding a litigation matter.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to enter Executive Session for the purpose of discussing a personnel matter and a litigation matter.

Council entered Executive Session at 7:29 p.m.

Council returned from Executive Session at 7:58 p.m. on a motion by Mr. Dexter, seconded by Mr. Barron, approved 5 – 0.

Mr. Thrift stated that no action was taken in Executive Session.

Adjourn Mr. Dexter made a motion, approved unanimously 5 - 0, to adjourn at 8:00 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council